

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Catherine Clelland et al.

Application No.: 10/558,277

Confirmation No.: 8267

Filed: Concurrently Herewith

Art Unit: 1637

For: SURROGATE CELL GENE EXPRESSION  
SIGNATURES FOR EVALUATING THE  
PHYSICAL STATE OF A SUBJECT

---

Examiner: Mark Staples

**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Non-Final Office Action dated October 23, 2009, please consider the following amendments and remarks. **Amendments to the Specification** begin on page 2 of this paper. A marked-up copy and a clean copy of the substitute specification containing amendments to the specification are attached herein as Exhibits 1 and 2, respectively. **Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper. **Amendments to the Drawings** begin on page 10 of this paper and include a replacement sheet attached as Exhibit 3. **Remarks** begin on page 11 of this paper. Submitted simultaneously herewith is a Request for ONE (1) Month Extension of Time with the required fees. The Examiner is hereby authorized to charge any additional fees or credit any overpayment associated with this response to our Deposit Account No. 04-0100.